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December 12, 2023

FILED UNDER SEAL

The Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom 1305
New York, NY 10007

Re: *Microsoft Corporation v. Duong Dinh Tu et al.*, Case No. 23-cv-10685

Dear Judge Engelmayer:

Plaintiff Microsoft Corporation (“Microsoft”) writes to inform the Court that the Emergency *Ex Parte* Temporary Restraining Order entered by Your Honor on December 7, 2023 (attached hereto as Exhibit 1) (“TRO”) has been executed and that this action may be unsealed tomorrow, December 13, 2023, as contemplated by the Order to Temporarily File This Civil Case Under Seal, entered by the Honorable Lewis J. Liman on December 6, 2023 (attached hereto as Exhibit 2).

On December 7, 2023, after this Court entered the TRO, Microsoft served the TRO upon VeriSign, Inc., Identity Digital, Cloudflare, Inc., and Cloud South—the third parties identified in the TRO whose infrastructure has been abused by the Defendants to perpetrate their fraudulent activity. Microsoft has since worked with those third parties to effectuate the TRO. Specifically:

- VeriSign, Inc. has changed the registrar of record for 1stcaptcha.com, anycaptcha.com, and nonecaptcha.com in the .com registry to MarkMonitor, Inc., and MarkMonitor, Inc. has changed the registrant of those domains to Plaintiff;

- Identity Digital has changed the registrar of record for hotmailbox.me in the .me registry to MarkMonitor, Inc., and MarkMonitor, Inc. has changed the registrant of that domain to Plaintiff;
- Cloudflare, Inc. has directed Plaintiff to Vultr and Cloud South, which provided hosting services for the 1stcaptcha.com, anycaptcha.com, nonecaptcha.com, and hotmailbox.me domains. Vultr and Cloud South have, in turn, disabled each domain.¹

Finally, Plaintiff will effectuate service by tomorrow, December 13, 2023, by (1) emailing the TRO, Complaint, Motion for an Emergency *Ex Parte* Temporary Restraining Order and Order to Show Cause, and Memorandum of Law and Declarations of Jason Lyons, Maurice Mason, Patrice Boffa, Christopher Stangl, Shinesa Cambric, and Jason Rozbruch in Support Thereof, to the following email addresses, which, upon information and belief, can be used to contact the Defendants: duongdinhtu93@gmail.com, duongdinhtu93@outlook.com, 17021195@vnu.edu.vn, nguyenlinh.uet@gmail.com, nvt.kscentt@gmail.com, and daukho1112@gmail.com; (2) publishing the above-referenced documents and accompanying clarifying text (see Rozbruch Declaration ¶ 12) on the publicly-available webpage, <https://dcu-noticeofpleadings.azurewebsites.net/>, a link to which will be provided for at least the next six months to anyone that visits 1stcaptcha.com, anycaptcha.com, nonecaptcha.com, or hotmailbox.me; (3) transmitting the above-referenced documents by registered mail to Can ho C18.08 Sai Gon Avenue, so 11, Tam Binh, Thu Duc, Ho Chi Minh, Vietnam, 700000, which, upon information recently provided by Identity Digital, is the physical address of Defendant Duong Dinh Tu, at which he may be contacted; (4) engaging a process server to personally deliver the above-referenced documents to Defendant Tu at his physical address; and (5) transmitting the above-referenced documents to Defendant Tu by facsimile to +84.903206359, which, upon information recently provided by Identity Digital, is the facsimile of Defendant Tu, at which he may be contacted. We respectfully submit that, through these methods, Plaintiff will have attempted “service by all available means,” per the TRO.

For the foregoing reasons, Plaintiff respectfully requests that the above-captioned case be unsealed tomorrow, December 13, 2023.

¹ Vultr hosted, and recently disabled, the 1stcaptcha.com, anycaptcha.com, and nonecaptcha.com domains, while Cloud South hosted, and recently disabled, the hotmailbox.me domain.

Respectfully submitted,

CAHILL GORDON & REINDEL LLP

/s/ Brian T. Markley
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MICROSOFT CORPORATION
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Counsel for Plaintiff Microsoft Corporation

The Court appreciates this update. In accordance with Judge Liman's order dated December 6, 2023, the Clerk of Court is respectfully requested to unseal the above-captioned case, and this letter too is to be publicly filed.

SO ORDERED.



PAUL A. ENGELMAYER

Dated: December 13, 2023 United States District Judge